

Amendment No. 1 to SB1864

Gresham  
Signature of Sponsor

**AMEND Senate Bill No. 1864\***

**House Bill No. 2489**

by deleting all language after the enacting clause and by substituting the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 3, is amended by adding the following language as a new section:

(a) The state board of education is authorized to promulgate rules for the development of a program whereby 501(c)(3) nonprofit corporations may be recognized for the purpose of assisting LEAs through the selection and appointment of qualified volunteers.

(b) The program shall focus on grades kindergarten through three (K-3) before- and after-school activities designed to improve student achievement in the academic subjects of reading, math, science, and social studies, as well as fine arts.

(c) Any 501(c)(3) nonprofit corporation recognized under this section shall meet all applicable rules of the state board of education and policies and procedures of the LEA in which the corporation's volunteers are assisting and ensure its volunteers undergo criminal history record checks and otherwise meet all of the requirements of § 49-5-413.

(d)

(1) The department of education shall maintain and publish a list of recognized 501(c)(3) nonprofit corporations under this section for the purpose of notifying LEAs of available volunteers and assistance.

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(2) An LEA shall approve a recognized 501(c)(3) nonprofit corporation to assist in the LEA's schools before the corporation's volunteers may begin assisting students in a school.

(3) An LEA shall establish a local appeal process through which a recognized 501(c)(3) nonprofit corporation may appeal a decision of the LEA to reject the corporation's offer of assistance in the LEA's schools.

(e) A 501(c)(3) nonprofit corporation recognized under this section shall maintain a minimum of seven hundred fifty (750) volunteers.

(f) If the rules promulgated by the state board of education or policies or procedures adopted by the LEA are violated, the LEA shall have the authority to remove the recognized 501(c)(3) nonprofit corporation from the program. The LEA shall notify the commissioner of education of any such removal.

(g) The commissioner, in the commissioner's discretion, is authorized to waive, at an LEA's request, any provision of this section or a rule if necessary to accommodate the implementation of the program in an LEA. In exercising this discretion, the commissioner shall consider whether the proposed waiver will improve the educational opportunities and performance of the students in the LEA by allowing volunteers of a recognized 501(c)(3) nonprofit corporation to assist students through the program. The commissioner shall not waive any rule regarding criminal history record checks for volunteers or adherence to the LEA's instruction practices and policies or state standards.

SECTION 2. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2017, the public welfare requiring it.